

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
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2005 APR -6 P 2:52

U.S. DISTRICT COURT
DISTRICT OF MASS

05-10629-JLT

ANGEL RIVERA,
Petitioner,

v.

JOHN ASHCROFT,
Attorney General,
Defendant.

AFFIDAVIT OF ANGEL RIVERA IN SUPPORT OF
MOTION FOR APPOINTMENT OF COUNSEL

I, Angel Rivera, having been sworn according
to law do hereby depose and say:

I am the petitioner in this action.

I make this affidavit in good faith and in support
of my motion for appointment of counsel.

I am unable to make payment for retained counsel,
and in a citizenship appeal, presently pending before
the United States Supreme Court, the lower court,
the First Circuit Court of Appeals, appointed counsel
to prosecute that appeal on my behalf.

Notwithstanding my citizenship appeal, the instant
action presents issues of grave importance with severe
ramifications.

My application for habeas corpus submits issues
of ineffective counsel at trial, prosecutorial miscon-
duct in the use of perjured testimony and vouching
for the complainant and her perjurious testimony, and

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a biased and prejudiced trial judge that, inter alia, instructed the jury that the fact that the complainant was committing perjury didn't matter at the trial.

As a result of the conviction, this constitutes the sole reason that I am subject to deportation, and that even though I am claiming citizenship by virtue of my father's naturalization and the fact that he raised me in his home. Additionally I have family including two daughters, and two sisters and their families in the Massachusetts area.

The jury split on the verdict and acquitted me on one charge that wasn't supported by the medical testimony and the case consisted of only the complainant making claims that showed false testimony.

I am innocent of the charges and did not receive a fair trial because of ineffective counsel, prosecutorial misconduct, and judicial bias and prejudice.

I have additionally attached my forma pauperis motion to this pleading.

Sworn to under the pains and penalties of perjury
this 5th day of January, 2005.

Angel Rivera, pro se